

1 David L. Hughes, Cal. Bar No. 129411
Gregory H. Smith, Cal. Bar No. 243385
2 BOOTH, MITCHEL & STRANGE LLP
701 South Parker Street, Suite 6500
3 Orange, CA 92868-4733
(714) 480-8500 / Fax (714) 480-8533
4

5 Christopher A. Wright, *pro hac vice*
CARNEY BADLEY SPELLMAN
6 701 Fifth Avenue, Suite 3600
Seattle, WA 98104
7 (206) 622-8020 / Fax (206) 467-8215

8 Louis E. Garfinkel, Nev. Bar No. 3416
9 LEVINE GARFINKEL ECKERSLEY & ANGIONI
8880 West Sunset Road, Suite 390
10 Las Vegas, NV 89148
11 (702) 735-0451 / Fax (702) 735-2198

12 *Attorneys for Defendant/Counter-Claimant*
TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
13

14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 FIDELITY AND DEPOSIT COMPANY OF
MARYLAND, a Maryland corporation,

17 Plaintiff,

18 vs.

19 BIG TOWN MECHANICAL, LLC, a
20 Nevada limited liability company;
TRAVELERS CASUALTY AND SURETY
21 COMPANY OF AMERICA, a Connecticut
corporation; DOES I through X; and ROE
22 CORPORATIONS I-X; inclusive,

23 Defendants.
24

25 AND RELATED COUNTER-CLAIMS
26

Case No. 2:13-cv-00380-JAD- GWF

**STIPULATION AND
ORDER FOR EXTENSION OF TIME
TO FILE TRAVELERS' RESPONSE TO
FIDELITY'S MOTION FOR PARTIAL
SUMMARY JUDGMENT ON
REIMBURSEMENT RELATED TO
DELAY DAMAGES**

**(TRAVELERS' First Request re
Motion [ECF No. 287])**

27 Defendant/Counter-Claimant TRAVELERS CASUALTY AND SURETY
28 COMPANY OF AMERICA ("TRAVELERS"), by and through its undersigned counsel,

1 and Plaintiff/Counter-Defendant Fidelity and Deposit Company of Maryland ("F&D"), by
2 and through its undersigned counsel, (collectively referred to herein as the "Parties"),
3 hereby present this Stipulation and Proposed Order for an extension of time to file
4 TRAVELERS' Response Brief to F&D's Motion for Partial Summary Judgment on
5 Reimbursement Related to Delay Damages [ECF No. 287]. This stipulation to extend the
6 time to respond is made pursuant to LR IA 6-1. F&D's Motion was filed on October 11,
7 2017. ECF No. 287. TRAVELERS' Response is due November 1, 2017. However, on
8 October 18, 2017, the Court ordered the Motion and related appendices stricken [ECF No.
9 293] at which point TRAVELERS ceased working on its Response Brief. On October 26,
10 2017, the Court directed the Clerk of the Court to reinstate the filings struck by the
11 October 18, 2017 Order. ECF No. 295.

12 In light of the approximate 1 week where F&D's Motion was stricken,
13 TRAVELERS requested an additional week's time in which to file its Response, which
14 F&D has agreed to. The Parties therefore hereby stipulate to a one-week extension of time
15 for TRAVELERS to file its Response Brief. The new deadline for TRAVELERS'
16 Response Brief is November 8, 2017. This is the first stipulation for an extension of time
17 for this deadline.

18 DATED this 31st day of October, 2017.

DATED this 31st day of October, 2017.

19 KOLESAR & LEATHAM

BOOTH, MITCHEL & STRANGE LLP

20 /s/ Ryan T. Gormley, Esq. (with permission)

/s/ David L. Hughes, Esq.

21 RYAN T. GORMLEY, ESQ.

DAVID L. HUGHES, ESQ.

22 400 South Rampart Boulevard, Suite 400

701 South Parker St., Ste 6500

Las Vegas, Nevada 89145

Orange, CA 92868-4733

23 *Attorneys for Fidelity and Deposit Company of*
Maryland

Attorneys for Travelers Casualty and Surety
Company of America

24
25 **IT IS SO ORDERED.**

26 
27 UNITED STATES DISTRICT JUDGE

28 DATED: 10/31/2017